

**To:** Freeman, Paul[paulfreeman@eversheds-sutherland.com]  
**Cc:** Bunker, Byron[bunker.byron@epa.gov]  
**From:** Manners, Mary  
**Sent:** Mon 2/5/2018 7:50:34 PM  
**Subject:** RE: Genscape--Follow-up from Your Call  
[Agenda for 2-6-18 EPA Meeting with Genscape.docx](#)

Hi Paul,

Please see the attached agenda with logistical details for our meeting tomorrow. I added Genscape's COO to the attendee list. Please note that Byron will now be in Ann Arbor instead of DC.

All visitors will need picture ID and must go through security screening. Upon your arrival, please call Deborah McSwain (202.343.9284) and she will escort you to the meeting room.

Please give me a call if you have any other questions.

Safe travels and see you tomorrow,

Mary

734.214.4873 (office)

 (cell)

**From:** Freeman, Paul [mailto:paulfreeman@eversheds-sutherland.com]  
**Sent:** Monday, February 05, 2018 1:27 PM  
**To:** Manners, Mary <manners.mary@epa.gov>  
**Cc:** Bunker, Byron <bunker.byron@epa.gov>  
**Subject:** RE: Genscape--Follow-up from Your Call

Mary—

We are looking forward to our discussion tomorrow morning! As we are making our final preparations, I wanted to let you know that we are likely to have plenty of time for engagement and questions. Finally, we will have one additional attendee from our side, Ellen Pinschmidt, Genscape's Chief Operating Officer.

Do you have the final logistical details for tomorrow morning?

Many thanks,

Paul

Paul Freeman | Counsel | Eversheds Sutherland (US) LLP

T: +1.212.389.5017 [REDACTED]

[Biography](#) | [vCard](#)

[www.eversheds-sutherland.com](http://www.eversheds-sutherland.com)

Eversheds Sutherland

Client Commitment. Innovative Solutions. Global Service.

**From:** Manners, Mary [<mailto:manners.mary@epa.gov>]

**Sent:** Thursday, February 1, 2018 6:26 PM

**To:** Freeman, Paul <[PaulFreeman@eversheds-sutherland.us](mailto:PaulFreeman@eversheds-sutherland.us)>

**Cc:** Bunker, Byron <[bunker.byron@epa.gov](mailto:bunker.byron@epa.gov)>

**Subject:** Re: Genscape--Follow-up from Your Call

Hi Paul - we will make sure the room in DC is set up and ready with a computer that you can plug a flash drive into, from which we can Skype the presentation out to the other participants. So you could either email the presentation ahead of time, or bring it in on a flash drive the day of. Either way would work.

Sent from my iPhone

On Feb 1, 2018, at 6:13 PM, Freeman, Paul <[paulfreeman@eversheds-sutherland.com](mailto:paulfreeman@eversheds-sutherland.com)> wrote:

Thank you Mary. Also, am I correct in assuming that screen of some sort will be available

to show the slide deck in the room in DC as well?

Many thanks,

Paul

Paul Freeman | Counsel | Eversheds Sutherland (US) LLP

T: +1.212.389.5017 M: [REDACTED]  
[Biography](#) | [vCard](#)

[www.eversheds-sutherland.com](http://www.eversheds-sutherland.com)

Eversheds Sutherland  
Client Commitment. Innovative Solutions. Global Service.

**From:** Manners, Mary [<mailto:manners.mary@epa.gov>]  
**Sent:** Tuesday, January 30, 2018 4:57 PM  
**To:** Freeman, Paul <[PaulFreeman@eversheds-sutherland.us](mailto:PaulFreeman@eversheds-sutherland.us)>  
**Cc:** Bunker, Byron <[bunker.byron@epa.gov](mailto:bunker.byron@epa.gov)>  
**Subject:** RE: Genscape--Follow-up from Your Call

I'll look into that and get back with you.

**From:** Freeman, Paul [<mailto:paulfreeman@eversheds-sutherland.com>]  
**Sent:** Tuesday, January 30, 2018 4:34 PM  
**To:** Manners, Mary <[manners.mary@epa.gov](mailto:manners.mary@epa.gov)>  
**Cc:** Bunker, Byron <[bunker.byron@epa.gov](mailto:bunker.byron@epa.gov)>  
**Subject:** RE: Genscape--Follow-up from Your Call

Thank you Mary. As we will be guided by a powerpoint slide deck in our presentation, is it possible to have a web-ex or similar electronic presentation available for those attending remotely?

Regards,

Paul

Paul Freeman | Counsel | Eversheds Sutherland (US) LLP

T: +1.212.389.5017 M: [REDACTED]

[Biography](#) | [vCard](#)

[www.eversheds-sutherland.com](http://www.eversheds-sutherland.com)

Eversheds Sutherland

Client Commitment. Innovative Solutions. Global Service.

**From:** Manners, Mary [<mailto:manners.mary@epa.gov>]  
**Sent:** Tuesday, January 30, 2018 4:31 PM  
**To:** Freeman, Paul <[PaulFreeman@eversheds-sutherland.us](mailto:PaulFreeman@eversheds-sutherland.us)>  
**Cc:** Bunker, Byron <[bunker.byron@epa.gov](mailto:bunker.byron@epa.gov)>  
**Subject:** RE: Genscape--Follow-up from Your Call

Hi Paul – In furtherance of my voicemail reply to you, here is the list of EPA attendees for our meeting next Tuesday, 2/6:

EPA attendees in DC

Byron Bunker - OTAQ

Karen Nelson - OTAQ

Anne Pastorkovich - OTAQ

Phil Brooks - OECA

Apple Chapman - OECA

Tony Miller – OECA

Tahani Rivers – OECA

Sue Stahle – OGC

Seth Buchsbaum – OGC

Ariel Hou – ERG, Contractor to the EPA

EPA attendees in Ann Arbor

Mary Manners – OTAQ

Robert Anderson – OTAQ

EPA attendees by phone

Mandy Gunasekara – OAR

Matt Kryman – OECA

I will follow up with you again regarding any building entry/security procedures you should be aware of as well as a point of contact on who you should call upon your arrival.

Also, here is the call in number we will be using in addition to video conference between DC and AA if you have anyone else from your team who would like to participate:

Call in: [REDACTED], conference ID [REDACTED]

Regards,  
Mary

**From:** Freeman, Paul [<mailto:paulfreeman@eversheds-sutherland.com>]  
**Sent:** Tuesday, January 30, 2018 9:40 AM  
**To:** Freeman, Paul <[paulfreeman@eversheds-sutherland.com](mailto:paulfreeman@eversheds-sutherland.com)>; Manners, Mary <[manners.mary@epa.gov](mailto:manners.mary@epa.gov)>  
**Cc:** Bunker, Byron <[bunker.byron@epa.gov](mailto:bunker.byron@epa.gov)>  
**Subject:** Re: Genscape--Follow-up from Your Call

Mary—in furtherance of my voicemail a few moments ago, just wanted to confirm we're good to go for next Tuesday per our email exchanges below.

I am on my cell today—[REDACTED]—if you'd like to discuss.

Thanks,

Paul

On Thu, Jan 25, 2018 at 4:45 PM -0500, "Freeman, Paul" <[PaulFreeman@eversheds-sutherland.us](mailto:PaulFreeman@eversheds-sutherland.us)> wrote:

Excellent, thanks Mary. Our team currently slated to attend is looking like:

Susan Olson, Genscape

Amelia Rudolph, Eversheds Sutherland

Paul Freeman, Eversheds Sutherland

Larry Schafer, Playmakers Strategies

Manning Ferraci, Playmakers Strategies

An additional executive from Genscape may also attend, and I will let you know as soon as we get that worked out one way or another.

We don't have any edits to propose to the agenda—we are ready to go!

Is the 6<sup>th</sup> still good on your end, including for Mandy and others in D.C.?

Thanks again,

Paul

Paul Freeman | Counsel | Eversheds Sutherland (US) LLP

T: +1.212.389.5017 M: +1.212.389.5017

[Biography](#) | [vCard](#)

[www.eversheds-sutherland.com](http://www.eversheds-sutherland.com)

Eversheds Sutherland

Client Commitment. Innovative Solutions. Global Service.

**From:** Manners, Mary [<mailto:manners.mary@epa.gov>]

**Sent:** Thursday, January 25, 2018 4:23 PM

**To:** Freeman, Paul <[PaulFreeman@eversheds-sutherland.us](mailto:PaulFreeman@eversheds-sutherland.us)>

**Cc:** Bunker, Byron <[bunker.byron@epa.gov](mailto:bunker.byron@epa.gov)>

**Subject:** RE: Genscape--Follow-up from Your Call

Hi Paul,

I'm trying to finalize the logistics for our meeting on 2/6. Do you have a list of participants on your end that you can share at this point? Also, do you have any edits to the agenda you proposed below?

Thanks,  
Mary

**From:** Freeman, Paul [<mailto:paulfreeman@eversheds-sutherland.com>]

**Sent:** Wednesday, January 17, 2018 3:54 PM

**To:** Manners, Mary <[manners.mary@epa.gov](mailto:manners.mary@epa.gov)>

**Cc:** Bunker, Byron <[bunker.byron@epa.gov](mailto:bunker.byron@epa.gov)>

**Subject:** RE: Genscape--Follow-up from Your Call

Ok, great, the morning is good. Approximately 5 to 8 folks from our end. Now that we have a date I'll be able to confirm and identify for you the team from our side.

Thanks,

Paul

Paul Freeman | Counsel | Eversheds Sutherland (US) LLP

T: +1.212.389.5017 [REDACTED]

[Biography](#) | [vCard](#)

[www.eversheds-sutherland.com](http://www.eversheds-sutherland.com)

Eversheds Sutherland

Client Commitment. Innovative Solutions. Global Service.

**From:** Manners, Mary [<mailto:manners.mary@epa.gov>]  
**Sent:** Wednesday, January 17, 2018 3:43 PM  
**To:** Freeman, Paul <[PaulFreeman@eversheds-sutherland.us](mailto:PaulFreeman@eversheds-sutherland.us)>  
**Cc:** Bunker, Byron <[bunker.byron@epa.gov](mailto:bunker.byron@epa.gov)>  
**Subject:** RE: Genscape--Follow-up from Your Call

The morning looks better on our end. I've put a hold on a room and our calendars for 9 am – 1 pm EST.

**From:** Freeman, Paul [<mailto:paulfreeman@eversheds-sutherland.com>]  
**Sent:** Wednesday, January 17, 2018 3:10 PM  
**To:** Manners, Mary <[manners.mary@epa.gov](mailto:manners.mary@epa.gov)>  
**Cc:** Bunker, Byron <[bunker.byron@epa.gov](mailto:bunker.byron@epa.gov)>  
**Subject:** RE: Genscape--Follow-up from Your Call

Mary—confirmed that we are good for the 6<sup>th</sup>. Do you have a morning or afternoon



block in mind at this point?

Thanks,

Paul

Paul Freeman | Counsel | Eversheds Sutherland (US) LLP

T: +1.212.389.5017

[Biography](#) | [vCard](#)

[www.eversheds-sutherland.com](http://www.eversheds-sutherland.com)

Eversheds Sutherland

Client Commitment. Innovative Solutions. Global Service.

**From:** Manners, Mary [<mailto:manners.mary@epa.gov>]  
**Sent:** Wednesday, January 17, 2018 2:56 PM  
**To:** Freeman, Paul <[PaulFreeman@eversheds-sutherland.us](mailto:PaulFreeman@eversheds-sutherland.us)>  
**Cc:** Bunker, Byron <[bunker.byron@epa.gov](mailto:bunker.byron@epa.gov)>  
**Subject:** RE: Genscape--Follow-up from Your Call

Hi Paul,

Does 2/6 in DC still work for you?

Thanks,  
Mary

**From:** Freeman, Paul [<mailto:paulfreeman@eversheds-sutherland.com>]  
**Sent:** Tuesday, January 09, 2018 5:19 PM  
**To:** Bunker, Byron <[bunker.byron@epa.gov](mailto:bunker.byron@epa.gov)>  
**Cc:** Manners, Mary <[manners.mary@epa.gov](mailto:manners.mary@epa.gov)>  
**Subject:** RE: Genscape--Follow-up from Your Call

Thanks Byron, sounds good and much appreciated.

Regards,

Paul

Paul Freeman | Counsel | Eversheds Sutherland (US) LLP

T: +1.212.389.5017 [REDACTED]

[Biography](#) | [vCard](#)

[www.eversheds-sutherland.com](http://www.eversheds-sutherland.com)

Eversheds Sutherland

Client Commitment. Innovative Solutions. Global Service.

**From:** Bunker, Byron [<mailto:bunker.byron@epa.gov>]

**Sent:** Tuesday, January 9, 2018 5:18 PM

**To:** Freeman, Paul <[PaulFreeman@eversheds-sutherland.us](mailto:PaulFreeman@eversheds-sutherland.us)>

**Cc:** Manners, Mary <[manners.mary@epa.gov](mailto:manners.mary@epa.gov)>

**Subject:** RE: Genscape--Follow-up from Your Call

Thanks Paul.

We can work with this outline and will get the meeting scheduled. Given the number of players on our side it may take us a week or so to get the date nailed down, but we will get it done.

Thanks,

Byron

\*\*\*\*\*

Byron Bunker

Director Compliance Division

Office of Transportation and Air Quality

Environmental Protection Agency

2000 Traverwood Drive

Ann Arbor, MI 48105

[Bunker.Byron@epa.gov](mailto:Bunker.Byron@epa.gov)

Phone: (734) 214-4155

Mobile: (734) 353-9623

\*\*\*\*\*

**From:** Freeman, Paul [<mailto:paulfreeman@eversheds-sutherland.com>]

**Sent:** Monday, January 08, 2018 12:32 PM

**To:** Bunker, Byron <[bunker.byron@epa.gov](mailto:bunker.byron@epa.gov)>

**Cc:** Manners, Mary <[manners.mary@epa.gov](mailto:manners.mary@epa.gov)>

**Subject:** RE: Genscape--Follow-up from Your Call

Byron—

In furtherance of our e-mail exchanges below,

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

# Ex. 4 - CBI

Finally, to further assist with scheduling, our team is also holding open the week of 2/12, *in addition to* the dates provided below.

I am available to discuss any aspect of this at your convenience.

Best Regards,

Paul

Paul Freeman | Counsel | Eversheds Sutherland (US) LLP

T: +1.212.389.5017 [REDACTED]

[Biography](#) | [vCard](#)

[www.eversheds-sutherland.com](http://www.eversheds-sutherland.com)

Eversheds Sutherland

Client Commitment. Innovative Solutions. Global Service.

**From:** Freeman, Paul

**Sent:** Tuesday, January 2, 2018 12:32 PM

**To:** 'Bunker, Byron' <[bunker.byron@epa.gov](mailto:bunker.byron@epa.gov)>

**Cc:** Manners, Mary <[manners.mary@epa.gov](mailto:manners.mary@epa.gov)>

**Subject:** RE: Genscape--Follow-up from Your Call

Thanks Byron, and Happy New Year. I will follow-up with a proposed outline for the meeting.

Regards,

Paul

Paul Freeman | Counsel | Eversheds Sutherland (US) LLP

T: +1.212.389.5017 [REDACTED]

[Biography](#) | [vCard](#)

[www.eversheds-sutherland.com](http://www.eversheds-sutherland.com)

Eversheds Sutherland

Client Commitment. Innovative Solutions. Global Service.

**From:** Bunker, Byron [<mailto:bunker.byron@epa.gov>]

**Sent:** Tuesday, January 2, 2018 10:43 AM

**To:** Freeman, Paul <[PaulFreeman@eversheds-sutherland.us](mailto:PaulFreeman@eversheds-sutherland.us)>

**Cc:** Manners, Mary <[manners.mary@epa.gov](mailto:manners.mary@epa.gov)>

**Subject:** RE: Genscape--Follow-up from Your Call

Thanks Paul.

This all sounds good to me with the possible exception of four hours if your client is hoping that Mandy will be able to join for the entire time. We have not yet coordinated that part of this request with her so I am not saying it can't happen only that 4 hours is a long time for someone with her breadth of responsibilities.

We will start getting everyone polled on this end and get back with you after you have shared the outline for the meeting. You may want to consider a plan to have a two part meeting with Mandy joining the beginning or end.

Thanks and Happy New Year.

Byron

\*\*\*\*\*

Byron Bunker

Director Compliance Division

Office of Transportation and Air Quality

Environmental Protection Agency

2000 Traverwood Drive

Ann Arbor, MI 48105

[Bunker.Byron@epa.gov](mailto:Bunker.Byron@epa.gov)

Phone: (734) 214-4155

Mobile: (734) 353-9623

\*\*\*\*\*

**From:** Freeman, Paul [<mailto:paulfreeman@eversheds-sutherland.com>]  
**Sent:** Friday, December 22, 2017 10:48 AM  
**To:** Bunker, Byron <[bunker.byron@epa.gov](mailto:bunker.byron@epa.gov)>  
**Cc:** Manners, Mary <[manners.mary@epa.gov](mailto:manners.mary@epa.gov)>  
**Subject:** RE: Genscape--Follow-up from Your Call

Byron—

Thanks for your note. Just a few quick thoughts on the points you raised:

•□□□□□□□ To the extent it would be helpful in scheduling an actual date, our team is currently available in the following windows:

- 1/11 to 1/12
- 1/16 to 1/17
- Any day during the week of 1/29
- Any day during the week of 2/5

**Ex. 4 - CBI**

**Ex. 4 - CBI** Given the holidays and vacations among key members of our team, I likely will not be able to transmit that outline/agenda until after the first of the year.

Thanks again, and Happy Holidays!

Paul

Paul Freeman | Counsel | Eversheds Sutherland (US) LLP

T: +1.212.389.5017 [REDACTED]

[Biography](#) | [vCard](#)

[www.eversheds-sutherland.com](http://www.eversheds-sutherland.com)

Eversheds Sutherland

Client Commitment. Innovative Solutions. Global Service.

**From:** Bunker, Byron [<mailto:bunker.byron@epa.gov>]  
**Sent:** Tuesday, December 19, 2017 1:55 PM  
**To:** Freeman, Paul <[PaulFreeman@eversheds-sutherland.us](mailto:PaulFreeman@eversheds-sutherland.us)>  
**Cc:** Manners, Mary <[manners.mary@epa.gov](mailto:manners.mary@epa.gov)>  
**Subject:** RE: Genscape--Follow-up from Your Call

Hi Paul,

The location and timing for the meeting makes sense to me. We will start looking at availability and get back with you. I do know that the leadership calendar in OAR is already filling fast in January so it may end up being later than we would like.

Regarding the agenda, do you have an estimate of how much time we should allocate for the core aspects of the April 2017 submission? I want to make sure we have an opportunity to hear everything and then to ask questions as appropriate. A rough outline describing the topics and timing for each one within core elements would be helpful to that end.

Thanks,

Byron



\*\*\*\*\*

Byron Bunker

Director Compliance Division

Office of Transportation and Air Quality

Environmental Protection Agency

2000 Traverwood Drive

Ann Arbor, MI 48105

[Bunker.Byron@epa.gov](mailto:Bunker.Byron@epa.gov)

Phone: (734) 214-4155

Mobile: (734) 353-9623

\*\*\*\*\*

**From:** Freeman, Paul [<mailto:paulfreeman@eversheds-sutherland.com>]

**Sent:** Friday, December 08, 2017 7:36 AM

**To:** Bunker, Byron <[bunker.byron@epa.gov](mailto:bunker.byron@epa.gov)>

**Cc:** Manners, Mary <[manners.mary@epa.gov](mailto:manners.mary@epa.gov)>

**Subject:** Genscape--Follow-up from Your Call

Byron—

Thank you once again for your call last week. Genscape looks forward to meeting with you and your team in the coming weeks to discuss the status of and an ultimate resolution to this matter.

In response to the items you raised on our call, Genscape offers the following for your

consideration:

# Ex. 4 - CBI

Attendees: As I stated on the call, given the significance of this matter Genscape requests that all members of EPA's decision making team be available to attend, including Mandy Gunasekara.

Location: Genscape strongly prefers that the meeting take place in Washington, D.C.

Scheduling: In light of the upcoming holidays, it appears likely that the earliest the meeting could come together would be soon after the first of the year. The Genscape team's schedule is open and flexible for a meeting in early January. Thus, the most efficient approach might be for your team to provide some available dates, and we will work around that availability.

I look forward to your response. Please feel free to contact me with any questions or to discuss this matter in greater detail in the interim.

Best Regards,

Paul

Paul Freeman | Counsel | Eversheds Sutherland (US) LLP

T: +1.212.389.5017 [REDACTED]

[Biography](#) | [vCard](#)

[www.eversheds-sutherland.com](http://www.eversheds-sutherland.com)

Eversheds Sutherland

Client Commitment. Innovative Solutions. Global Service.

**From:** Le, Madison [<mailto:Le.Madison@epa.gov>]  
**Sent:** Wednesday, October 18, 2017 11:17 AM  
**To:** Freeman, Paul <[PaulFreeman@eversheds-sutherland.us](mailto:PaulFreeman@eversheds-sutherland.us)>  
**Cc:** Stahle, Susan <[Stahle.Susan@epa.gov](mailto:Stahle.Susan@epa.gov)>; Bunker, Byron <[bunker.byron@epa.gov](mailto:bunker.byron@epa.gov)>; Manners, Mary <[manners.mary@epa.gov](mailto:manners.mary@epa.gov)>; Cambre, Brittany <[BrittanyCambre@eversheds-sutherland.us](mailto:BrittanyCambre@eversheds-sutherland.us)>  
**Subject:** RE: Genscape Submittal - Meeting Request

Hi Paul,

We are still reviewing the materials in preparation for the requested meeting. Byron would like to assure you that we will accommodate the request for a meeting with Genscape before making any final decisions.

If you would like discuss matters further, please feel free to reach out to Byron directly.

Thanks,

Madison

Madison H. Le

Center Director, Fuels Compliance Policy Center (FCPC)

Office of Transportation & Air Quality

U.S. Environmental Protection Agency

1200 Pennsylvania Ave, N.W.

Washington, D.C. 20460

Direct: 202-564-5754

Cell: [REDACTED]

Email: [le.madison@epa.gov](mailto:le.madison@epa.gov)

**From:** Freeman, Paul [<mailto:paulfreeman@eversheds-sutherland.com>]  
**Sent:** Wednesday, October 11, 2017 2:11 PM  
**To:** Le, Madison <[Le.Madison@epa.gov](mailto:Le.Madison@epa.gov)>  
**Cc:** Stahle, Susan <[Stahle.Susan@epa.gov](mailto:Stahle.Susan@epa.gov)>; Bunker, Byron <[bunker.byron@epa.gov](mailto:bunker.byron@epa.gov)>; Manners, Mary <[manners.mary@epa.gov](mailto:manners.mary@epa.gov)>; Cambre, Brittany <[brittanycambre@eversheds-sutherland.com](mailto:brittanycambre@eversheds-sutherland.com)>  
**Subject:** Genscape Submittal - Meeting Request

Madison—

In furtherance of our conversation on August 1st, I am writing to inquire on the status of EPA's review of Genscape's submission filed on April 17, 2017, and, more specifically, Genscape's request to meet with staff prior to EPA reaching a final decision on the matters addressed in the January 4th Notice Letter (reiterated in my follow-up note below). During our conversation on August 1st, you stated that you would take Genscape's request to your team and management. It has been more than two months since we last connected on this matter, and Genscape remains concerned that it will not have a meaningful opportunity to review the April 17th submission with staff and to respond to any questions *before* EPA has reached its final decision.

**Ex. 4 - CBI**

# Ex. 4 - CBI

As always, Genscape greatly appreciates your attention to this matter, and looks forward to your response.

Best Regards,

Paul

Paul Freeman | Counsel | Eversheds Sutherland (US) LLP

T: +1.212.389.5017

[Biography](#) | [vCard](#)

[www.eversheds-sutherland.com](http://www.eversheds-sutherland.com)

Eversheds Sutherland

Client Commitment. Innovative Solutions. Global Service.

**From:** Freeman, Paul

**Sent:** Thursday, August 3, 2017 8:41 PM

**To:** Le, Madison <[Le.Madison@epa.gov](mailto:Le.Madison@epa.gov)>

**Cc:** Stahle, Susan <[Stahle.Susan@epa.gov](mailto:Stahle.Susan@epa.gov)>; Bunker, Byron <[bunker.byron@epa.gov](mailto:bunker.byron@epa.gov)>; Manners, Mary <[manners.mary@epa.gov](mailto:manners.mary@epa.gov)>; Cambre, Brittany <[BrittanyCambre@eversheds-sutherland.us](mailto:BrittanyCambre@eversheds-sutherland.us)>

**Subject:** RE: Genscape submittal - **Ex. 4 - CBI**

Madison--

# Ex. 4 - CBI

# Ex. 4 - CBI

Finally, while we appreciate that EPA's review may be ongoing, Genscape once again would like to reiterate its strong desire to meet with staff prior to EPA reaching a final decision on the matters addressed in the Notice Letter.

Best Regards,

Paul

Paul Freeman | Counsel | T: +1.212.389.5017

**From:** Le, Madison [<mailto:Le.Madison@epa.gov>]  
**Sent:** Monday, July 31, 2017 10:37 AM  
**To:** Freeman, Paul; Susan Olson  
**Cc:** Stahle, Susan; Bunker, Byron; Manners, Mary  
**Subject:** Genscape submittal - Ex. 4 - CBI

Hi Paul –

# Ex. 4 - CBI

# Ex. 4 - CBI

Thanks,

Madison H. Le

Center Director, Fuels Compliance Policy Center (FCPC)

Office of Transportation & Air Quality

U.S. Environmental Protection Agency

1200 Pennsylvania Ave, N.W.

Washington, D.C. 20460

Direct: 202-564-5754

Cell: [REDACTED]

Email: [le.madison@epa.gov](mailto:le.madison@epa.gov)

Eversheds Sutherland (US) LLP is part of a global legal practice, operating through various separate and distinct legal entities, under Eversheds Sutherland. For a full description of the structure and a list of offices, please visit [www.eversheds-sutherland.com](http://www.eversheds-sutherland.com).

This e-mail message, together with any attachments, is intended only for the above named recipient(s) and may contain privileged and/or confidential information. If you are not an intended recipient, you must not review, copy or show the message and any attachments to anyone. Please reply to this e-mail and highlight the mistaken transmission to the sender, and then immediately delete the message.

## **EPA Meeting with Genscape**

February 6, 2018

9 am – 1 pm EST

Washington, DC location: WJCN 5530

Ann Arbor, MI location: N120

Call in: [REDACTED], conference ID [REDACTED]

### EPA attendees in DC

Karen Nelson - OTAQ

Anne Pastorkovich - OTAQ

Phil Brooks - OECA

Apple Chapman - OECA

Tony Miller – OECA

Tahani Rivers – OECA

Sue Stahle – OGC

Seth Buchsbaum – OGC

Ariel Hou – ERG, Contractor to the EPA

### Genscape Team attendees

Ellen Pinschmidt, Genscape COO

Susan Olson, Genscape

Amelia Rudolph, Eversheds Sutherland

Paul Freeman, Eversheds Sutherland

Larry Schafer, Playmakers Strategies

Manning Ferraci, Playmakers Strategies

### EPA attendees in Ann Arbor

Byron Bunker - OTAQ

Mary Manners – OTAQ

Robert Anderson – OTAQ

### EPA attendees by phone

Mandy Gunasekara – OAR

Matt Kryman – OECA

## **Agenda**

### I) Introductions

**Ex. 4 - CBI**



**To:** Manners, Mary[manners.mary@epa.gov]  
**Cc:** Bunker, Byron[bunker.byron@epa.gov]  
**From:** Freeman, Paul  
**Sent:** Wed 4/11/2018 3:23:16 AM  
**Subject:** Re: Follow-up Questions for Genscape

Thanks Mary, 9 on Thursday is best.

Sent from my iPhone

On Apr 10, 2018, at 4:13 PM, Manners, Mary  
<manners.mary@epa.gov<mailto:manners.mary@epa.gov>> wrote:

Hi Paul,

I am available at 11 am tomorrow or 9, 11, or 2 on Thursday. Do any of those options work for you?

Thanks,  
Mary

From: Freeman, Paul [mailto:PFreeman@crowell.com]  
Sent: Tuesday, April 10, 2018 9:00 AM  
To: Manners, Mary <manners.mary@epa.gov<mailto:manners.mary@epa.gov>>  
Cc: Bunker, Byron <bunker.byron@epa.gov<mailto:bunker.byron@epa.gov>>  
Subject: RE: Follow-up Questions for Genscape

Mary—

I just wanted to check in to (1) provide my new contact information below, and (2) see if you might have a few minutes this week to discuss a couple of points of clarification in connection with the questions provided a few weeks ago.

**Ex. 6 - Personal Privacy**

**Ex. 6 - Personal Privacy**

Regards,  
Paul

Paul C. Freeman  
pfreeman@crowell.com<mailto:pfreeman@crowell.com>  
Direct: 212.895.4251  
Mobile: [REDACTED]  
Crowell & Moring LLP | www.crowell.com<http://www.crowell.com/>  
590 Madison Avenue, 20th fl.  
New York, NY 10022

From: Manners, Mary [mailto:manners.mary@epa.gov]  
Sent: Tuesday, March 20, 2018 10:03 PM  
To: Freeman, Paul  
Cc: Bunker, Byron  
Subject: RE: Follow-up Questions for Genscape

Paul—

**Ex. 4 - CBI**

# Ex. 4 - CBI

We look forward to reviewing Genscape's submission on May 8, 2018, if not sooner.

Regards,  
Mary

Mary T. Manners, Deputy Director  
US EPA Office of Transportation and Air Quality  
Compliance Division  
2000 Traverwood  
Ann Arbor, MI 48105  
734.214.4873

From: Freeman, Paul [mailto:paulfreeman@eversheds-sutherland.com]  
Sent: Friday, March 16, 2018 7:40 PM  
To: Manners, Mary <manners.mary@epa.gov<mailto:manners.mary@epa.gov>>  
Cc: Bunker, Byron <bunker.byron@epa.gov<mailto:bunker.byron@epa.gov>>  
Subject: RE: Follow-up Questions for Genscape

Mary—

Please see the attached in furtherance of our recent discussions.

Best Regards,  
Paul

Paul Freeman | Counsel | Eversheds Sutherland (US) LLP

T: +1.212.389.5017 M: +[REDACTED]  
Biography<<http://www.sutherland.com/People/Paul-C-Freeman>> | vCard<[https://us.eversheds-sutherland.com/webportal/perform.v?obj=ve\\_oid:poid:Z1tOI9NPI0LPoDtRkfZCr03Cn0!&action=vCard](https://us.eversheds-sutherland.com/webportal/perform.v?obj=ve_oid:poid:Z1tOI9NPI0LPoDtRkfZCr03Cn0!&action=vCard)>

[www.eversheds-sutherland.com](http://www.eversheds-sutherland.com)<<http://www.eversheds-sutherland.com/>>

Eversheds Sutherland  
Client Commitment. Innovative Solutions. Global Service.

From: Manners, Mary [mailto:manners.mary@epa.gov]  
Sent: Friday, March 9, 2018 10:55 AM  
To: Freeman, Paul <PaulFreeman@eversheds-sutherland.us<mailto:PaulFreeman@eversheds-sutherland.us>>  
Cc: Bunker, Byron <bunker.byron@epa.gov<mailto:bunker.byron@epa.gov>>  
Subject: Follow-up Questions for Genscape

Paul—

Please see the attached additional questions for Genscape following our February 6, 2018 meeting. Responses to the questions are requested by March 30, 2018.

Regards,  
Mary

Mary T. Manners, Deputy Director  
US EPA Office of Transportation and Air Quality  
Compliance Division  
2000 Traverwood  
Ann Arbor, MI 48105  
734.214.4873

Eversheds Sutherland (US) LLP is part of a global legal practice, operating through various separate and distinct legal entities, under Eversheds Sutherland. For a full description of the structure and a list of offices, please visit [www.eversheds-sutherland.com](http://www.eversheds-sutherland.com)<<http://www.eversheds-sutherland.com>>.

This e-mail message, together with any attachments, is intended only for the above named recipient(s) and may contain privileged and/or confidential information. If you are not an intended recipient, you must not review, copy or show the message and any attachments to anyone. Please reply to this e-mail and highlight the mistaken transmission to the sender, and then immediately delete the message.

**From:** Freeman, Paul  
**Location:** Skype Meeting  
**Importance:** Normal  
**Subject:** Follow-up Questions for Genscape  
**Start Date/Time:** Fri 4/27/2018 8:30:00 PM  
**End Date/Time:** Fri 4/27/2018 9:00:00 PM

.....  
»»»»»»»»

## ☞ Join Skype Meeting

Trouble Joining? [Try Skype Web App](#)

### Join by phone

[REDACTED] (US) English (United States)  
[REDACTED] (US) English (United States)

[Find a local number](#)

Conference ID: [REDACTED]

[Forgot your dial-in PIN?](#) | [Help](#)

.....  
»»»»»»»»

---

**From:** Manners, Mary [<mailto:manners.mary@epa.gov>]

**Sent:** Friday, April 27, 2018 9:36 AM

**To:** Freeman, Paul

**Cc:** Nelson, Karen

**Subject:** RE: Follow-up Questions for Genscape

Either of those times is fine.

**From:** Freeman, Paul [<mailto:PFreeman@crowell.com>]

**Sent:** Thursday, April 26, 2018 8:08 PM

**To:** Manners, Mary <[manners.mary@epa.gov](mailto:manners.mary@epa.gov)>

**Cc:** Bunker, Byron <[bunker.byron@epa.gov](mailto:bunker.byron@epa.gov)>; Nelson, Karen <[nelson.karen@epa.gov](mailto:nelson.karen@epa.gov)>

**Subject:** RE: Follow-up Questions for Genscape

Thanks Mary, let's connect tomorrow afternoon, I can give you the preview, and then we'll follow-up with a letter early next week. Is 4:30 or 5 too late?

Thanks again,

Paul

Paul C. Freeman

[pfreeman@crowell.com](mailto:pfreeman@crowell.com)

Direct: 212.895.4251

Mobile: [REDACTED]

**Crowell & Moring LLP** | [www.crowell.com](http://www.crowell.com)

590 Madison Avenue, 20<sup>th</sup> fl.

New York, NY 10022

**From:** Manners, Mary [<mailto:manners.mary@epa.gov>]

**Sent:** Thursday, April 26, 2018 7:52 PM

**To:** Freeman, Paul

**Cc:** Bunker, Byron; Nelson, Karen

**Subject:** Re: Follow-up Questions for Genscape

Paul - I can be available any time tomorrow afternoon or Monday afternoon.

Sent from my iPhone

On Apr 26, 2018, at 4:50 PM, Freeman, Paul <PFreeman@crowell.com> wrote:

Thank you Mary. I was actually going to touch base this afternoon on status, so perfect timing! Do you have some time tomorrow or on Monday to talk for a few minutes? There is one aspect of Genscape's response that I think will warrant some additional discussion, and so I didn't want to wait until May 8 to begin that conversation. I'm flexible both days at the moment.

Many thanks,

Paul

Paul C. Freeman

[pfreeman@crowell.com](mailto:pfreeman@crowell.com)

Direct: 212.895.4251

**Crowell & Moring LLP** | [www.crowell.com](http://www.crowell.com)

590 Madison Avenue, 20<sup>th</sup> fl.

New York, NY 10022

**From:** Manners, Mary [<mailto:manners.mary@epa.gov>]

**Sent:** Thursday, April 26, 2018 11:04 AM

**To:** Freeman, Paul

**Cc:** Bunker, Byron; Nelson, Karen

**Subject:** RE: Follow-up Questions for Genscape

Paul –

I am writing in response to our call on April 12.

**Ex. 4 - CBI**

Please contact me if I can be of further assistance.

Regards,

Mary

**From:** Freeman, Paul [<mailto:PFreeman@crowell.com>]

**Sent:** Tuesday, April 10, 2018 9:00 AM

**To:** Manners, Mary <[manners.mary@epa.gov](mailto:manners.mary@epa.gov)>

**Cc:** Bunker, Byron <[bunker.byron@epa.gov](mailto:bunker.byron@epa.gov)>

**Subject:** RE: Follow-up Questions for Genscape

Mary—

I just wanted to check in to (1) provide my new contact information below, and (2) see if you might have a few minutes this week to discuss a couple of points of clarification in connection with the questions

provided a few weeks ago. I don't anticipate it being a long conversation,

**Ex. 6 - Personal Privacy**

**Ex. 6 - Personal Privacy**

Regards,

Paul

Paul C. Freeman

[pfreeman@crowell.com](mailto:pfreeman@crowell.com)

Direct: 212.895.4251

Mobile: [REDACTED]

**Crowell & Moring LLP** | [www.crowell.com](http://www.crowell.com)

590 Madison Avenue, 20<sup>th</sup> fl.

New York, NY 10022

**From:** Manners, Mary [<mailto:manners.mary@epa.gov>]

**Sent:** Tuesday, March 20, 2018 10:03 PM

**To:** Freeman, Paul

**Cc:** Bunker, Byron

**Subject:** RE: Follow-up Questions for Genscape

Paul—

**Ex. 4 - CBI**

**Ex. 4 - CBI**

Regards,

Mary

Mary T. Manners, Deputy Director

US EPA Office of Transportation and Air Quality

Compliance Division

2000 Traverwood

Ann Arbor, MI 48105

734.214.4873

**From:** Freeman, Paul [<mailto:paulfreeman@eversheds-sutherland.com>]

**Sent:** Friday, March 16, 2018 7:40 PM

**To:** Manners, Mary <[manners.mary@epa.gov](mailto:manners.mary@epa.gov)>

**Cc:** Bunker, Byron <[bunker.byron@epa.gov](mailto:bunker.byron@epa.gov)>

**Subject:** RE: Follow-up Questions for Genscape

Mary—

Please see the attached in furtherance of our recent discussions.

Best Regards,

Paul

Paul Freeman | Counsel | Eversheds Sutherland (US) LLP

T: +1.212.389.5017 M: + [REDACTED]  
[Biography](#) | [vCard](#)

[www.eversheds-sutherland.com](http://www.eversheds-sutherland.com)

**Eversheds Sutherland**

Client Commitment. Innovative Solutions. Global Service.

**From:** Manners, Mary [<mailto:manners.mary@epa.gov>]

**Sent:** Friday, March 9, 2018 10:55 AM

**To:** Freeman, Paul <[PaulFreeman@eversheds-sutherland.us](mailto:PaulFreeman@eversheds-sutherland.us)>

**Cc:** Bunker, Byron <[bunker.byron@epa.gov](mailto:bunker.byron@epa.gov)>

**Subject:** Follow-up Questions for Genscape

Paul—

**Ex. 4 - CBI**

Regards,

Mary

Mary T. Manners, Deputy Director

US EPA Office of Transportation and Air Quality

Compliance Division

2000 Traverwood

Ann Arbor, MI 48105

734.214.4873

Eversheds Sutherland (US) LLP is part of a global legal practice, operating through various separate and distinct legal entities, under Eversheds Sutherland. For a full description of the structure and a list of offices, please visit [www.eversheds-sutherland.com](http://www.eversheds-sutherland.com).

This e-mail message, together with any attachments, is intended only for the above named recipient(s) and may contain privileged and/or confidential information. If you are not an intended recipient, you must not review, copy or show the message and any attachments to anyone. Please reply to this e-mail and highlight the mistaken transmission to the sender, and then immediately delete the message.

**To:** Manners, Mary[manners.mary@epa.gov]  
**From:** Freeman, Paul  
**Sent:** Tue 7/18/2017 6:45:26 PM  
**Subject:** RE: Notice letter regarding Genscape's verification of invalid Gen-X and SRAC RINs generated under the EPA's Quality Assurance Plan Program

Mary—

**Ex. 4 - CBI**

I think another discussion of what you would like to receive would be in order, and we would certainly be open to suggestions from your team.

Thanks,

Paul

Paul Freeman | Counsel | T: +1.212.389.5017

**From:** Manners, Mary [mailto:manners.mary@epa.gov]  
**Sent:** Tuesday, July 18, 2017 2:23 PM  
**To:** Freeman, Paul  
**Subject:** RE: Notice letter regarding Genscape's verification of invalid Gen-X and SRAC RINs generated under the EPA's Quality Assurance Plan Program

**Ex. 4 - CBI**



Thanks,  
Mary

**From:** Freeman, Paul [<mailto:paulfreeman@eversheds-sutherland.com>]  
**Sent:** Wednesday, July 12, 2017 1:42 PM  
**To:** Manners, Mary <[manners.mary@epa.gov](mailto:manners.mary@epa.gov)>  
**Subject:** RE: Notice letter regarding Genscape's verification of invalid Gen-X and SRAC RINs generated under the EPA's Quality Assurance Plan Program

Yes—I will be speaking with Genscape late this afternoon, and will close the loop with you tomorrow morning at the latest.

Thanks,  
  
Paul

Paul Freeman | Counsel | T: +1.212.389.5017

**From:** Manners, Mary [<mailto:manners.mary@epa.gov>]  
**Sent:** Wednesday, July 12, 2017 12:51 PM  
**To:** Freeman, Paul  
**Subject:** RE: Notice letter regarding Genscape's verification of invalid Gen-X and SRAC RINs generated under the EPA's Quality Assurance Plan Program

Hi Paul,

Can you let me know the status of this please.

Thanks,

Mary

**From:** Freeman, Paul [<mailto:paulfreeman@eversheds-sutherland.com>]  
**Sent:** Friday, July 07, 2017 1:36 PM  
**To:** Manners, Mary <[manners.mary@epa.gov](mailto:manners.mary@epa.gov)>  
**Subject:** RE: Notice letter regarding Genscape's verification of invalid Gen-X and SRAC RINs generated under the EPA's Quality Assurance Plan Program

Mary—I apologize for not connecting on this prior to the holiday. We continue to work on this and will close the loop as soon as possible. I will be in further contact with you early next week.

Paul Freeman | Counsel | T: +1.212.389.5017

**From:** Manners, Mary [<mailto:manners.mary@epa.gov>]  
**Sent:** Wednesday, June 28, 2017 3:08 PM  
**To:** Freeman, Paul  
**Cc:** Stahle, Susan  
**Subject:** RE: Notice letter regarding Genscape's verification of invalid Gen-X and SRAC RINs generated under the EPA's Quality Assurance Plan Program

I can be available before 9 am EDT and at 11 am.

**From:** Freeman, Paul [<mailto:paulfreeman@eversheds-sutherland.com>]  
**Sent:** Tuesday, June 27, 2017 3:51 PM  
**To:** Manners, Mary <[manners.mary@epa.gov](mailto:manners.mary@epa.gov)>  
**Cc:** Stahle, Susan <[Stahle.Susan@epa.gov](mailto:Stahle.Susan@epa.gov)>  
**Subject:** RE: Notice letter regarding Genscape's verification of invalid Gen-X and SRAC RINs generated under the EPA's Quality Assurance Plan Program

Thanks Mary, we are looking at these and other files. I should be able to close the loop on Friday. Would you have some time on Friday to have a quick conversation as may be necessary?

Regards,

Paul

Paul Freeman | Counsel | T: +1.212.389.5017

**From:** Manners, Mary [<mailto:manners.mary@epa.gov>]

**Sent:** Tuesday, June 27, 2017 3:46 PM

**To:** Freeman, Paul

**Cc:** Stahle, Susan

**Subject:** RE: Notice letter regarding Genscape's verification of invalid Gen-X and SRAC RINs generated under the EPA's Quality Assurance Plan Program

Hi Paul,

I'm just checking in on this. Have you decided what you would like to do or when you might have a decision? We are essentially on hold until we hear back from you.

Thanks,

Mary

**From:** Manners, Mary

**Sent:** Wednesday, June 21, 2017 10:19 AM

**To:** 'Freeman, Paul' <[paulfreeman@eversheds-sutherland.com](mailto:paulfreeman@eversheds-sutherland.com)>

**Cc:** Stahle, Susan <[Stahle.Susan@epa.gov](mailto:Stahle.Susan@epa.gov)>

**Subject:** RE: Notice letter regarding Genscape's verification of invalid Gen-X and SRAC RINs generated under the EPA's Quality Assurance Plan Program

Hi Paul,

**Ex. 4 - CBI**

# Ex. 4 - CBI

After you've had a chance to review this, please let me know what you would like to do.

Thanks,  
Mary

Mary T. Manners, Deputy Director  
US EPA Office of Transportation and Air Quality  
Compliance Division  
2000 Traverwood  
Ann Arbor, MI 48105  
734.214.4873

**From:** Freeman, Paul [<mailto:paulfreeman@eversheds-sutherland.com>]

**Sent:** Tuesday, June 20, 2017 4:32 PM  
**To:** Manners, Mary <[manners.mary@epa.gov](mailto:manners.mary@epa.gov)>  
**Subject:** Re: Notice letter regarding Genscape's verification of invalid Gen-X and SRAC RINs generated under the EPA's Quality Assurance Plan Program

Yes, I am open tomorrow morning.

---

**From:** Manners, Mary <[manners.mary@epa.gov](mailto:manners.mary@epa.gov)>  
**Sent:** Tuesday, June 20, 2017 4:21 PM  
**Subject:** RE: Notice letter regarding Genscape's verification of invalid Gen-X and SRAC RINs generated under the EPA's Quality Assurance Plan Program  
**To:** Freeman, Paul <[paulfreeman@eversheds-sutherland.us](mailto:paulfreeman@eversheds-sutherland.us)>

Paul,

Do you have a few minutes tomorrow morning (between 9:30 and noon EDT) for a short call regarding Genscape's submission?

Thanks,

Mary

**From:** Freeman, Paul [<mailto:paulfreeman@eversheds-sutherland.com>]  
**Sent:** Monday, May 15, 2017 5:10 PM  
**To:** Manners, Mary <[manners.mary@epa.gov](mailto:manners.mary@epa.gov)>  
**Cc:** Stahle, Susan <[Stahle.Susan@epa.gov](mailto:Stahle.Susan@epa.gov)>  
**Subject:** RE: Notice letter regarding Genscape's verification of invalid Gen-X and SRAC RINs generated under the EPA's Quality Assurance Plan Program

Mary—

Building upon our most recent conversation, I wanted to touch base in hopes that we could begin to think about scheduling, attendees, and agenda items for a meeting among your team and Genscape. We appreciate the opportunity to meet prior to EPA reaching a decision, and also share the desire to complete that process expeditiously.

With all of that in mind, we are currently maintaining availability from May 31 to June 2, as well as June 5 to June 9. We certainly understand the challenges of scheduling numerous people in multiple locations, so please let me know if neither of those windows will work on your end. Once we nail down a date, time, and place for the meeting, we also would like to agree on elements of an agenda for that discussion. Genscape is committed to answering any and all questions you and your team may have based upon its review of Genscape's April 17 submission.

Thank you once again, I look forward to hearing from you.

Regards,

Paul

Paul Freeman | Counsel | T: +1.212.389.5017

**From:** Manners, Mary [<mailto:manners.mary@epa.gov>]

**Sent:** Thursday, April 20, 2017 4:55 PM

**To:** Freeman, Paul; Williams, Brent

**Subject:** RE: Notice letter regarding Genscape's verification of invalid Gen-X and SRAC RINs generated under the EPA's Quality Assurance Plan Program

Never mind. I think I figured it out.

**From:** Freeman, Paul [<mailto:paulfreeman@eversheds-sutherland.com>]

**Sent:** Tuesday, April 18, 2017 11:28 AM

**To:** Manners, Mary <[manners.mary@epa.gov](mailto:manners.mary@epa.gov)>; Williams, Brent <[Williams.Brent@epa.gov](mailto:Williams.Brent@epa.gov)>

**Subject:** RE: Notice letter regarding Genscape's verification of invalid Gen-X and SRAC RINs generated under the EPA's Quality Assurance Plan Program

Mary and Brent—

## Ex. 4 - CBI

Regards,

Paul

Paul Freeman | Counsel | T: +1.212.389.5017

**From:** Freeman, Paul

**Sent:** Monday, April 17, 2017 7:22 PM

**To:** 'Manners, Mary'

**Cc:** 'Bunker, Byron'; 'Williams, Brent'

**Subject:** RE: Notice letter regarding Genscape's verification of invalid Gen-X and SRAC RINs generated under the EPA's Quality Assurance Plan Program

Mary—

Attached please find the transmittal letter accompanying Genscape's response to the January 4<sup>th</sup> Notice Letter, which is being sent on a hard drive by overnight mail this evening.

Please let me know if you have any questions or would like to discuss this matter in greater detail.

Best Regards,

Paul

Paul Freeman | Counsel | T: +1.212.389.5017

**From:** Freeman, Paul  
**Sent:** Friday, February 17, 2017 6:48 PM  
**To:** 'Manners, Mary'  
**Cc:** Bunker, Byron; Williams, Brent  
**Subject:** RE: Notice letter regarding Genscape's verification of invalid Gen-X and SRAC RINs generated under the EPA's Quality Assurance Plan Program

Mary—

Please see the attached. I am available to discuss at your convenience next week.

Have a great weekend.

Best Regards,

Paul

Paul Freeman | *Counsel* | 212.389.5017

**From:** Manners, Mary [<mailto:manners.mary@epa.gov>]  
**Sent:** Thursday, February 02, 2017 4:12 PM  
**To:** Freeman, Paul  
**Cc:** Bunker, Byron; Williams, Brent  
**Subject:** RE: Notice letter regarding Genscape's verification of invalid Gen-X and SRAC RINs generated under the EPA's Quality Assurance Plan Program

Paul —



## Ex. 4 - CBI

Sincerely,  
Mary

Mary T. Manners, Deputy Director

US EPA Office of Transportation and Air Quality

Compliance Division

2000 Traverwood

Ann Arbor, MI 48105

**From:** Freeman, Paul [<mailto:Paul.Freeman@sutherland.com>]

**Sent:** Thursday, January 26, 2017 9:38 PM

**To:** Manners, Mary <[manners.mary@epa.gov](mailto:manners.mary@epa.gov)>

**Cc:** Bunker, Byron <[bunker.byron@epa.gov](mailto:bunker.byron@epa.gov)>; Williams, Brent <[Williams.Brent@epa.gov](mailto:Williams.Brent@epa.gov)>

**Subject:** RE: Notice letter regarding Genscape's verification of invalid Gen-X and SRAC RINs generated under the EPA's Quality Assurance Plan Program

Mary—

## Ex. 4 - CBI

We look forward to the EPA's response, and please don't hesitate to contact me with any questions or to discuss the attached in greater detail.

Best Regards,

Paul

**Paul Freeman** | *Counsel* | 212.389.5017

**From:** Manners, Mary [<mailto:manners.mary@epa.gov>]

**Sent:** Wednesday, January 04, 2017 2:09 PM

**To:** [solson@genscape.com](mailto:solson@genscape.com)

**Cc:** Bunker, Byron; Williams, Brent; Le, Madison; Weihrauch, John; Freeman, Paul

**Subject:** Notice letter regarding Genscape's verification of invalid Gen-X and SRAC RINs generated under the EPA's Quality Assurance Plan Program

**Importance:** High

Susan -

Please see the attached notice letter regarding the following: 1) the EPA's intention to revoke Genscape's third-party auditor registration, 2) the EPA's intention to revoke Genscape's QAP A, and 3) the EPA's notification of Genscape's requirement to replace all of the invalid Gen-X and SRAC A-RINs used for compliance.

This email contains the following attachments:

1. Notice letter (contains information claimed to be CBI)
2. Appendix A (2 documents)
3. Appendix B
4. Email from Brent Williams to Genscape

Sincerely,  
Mary

Mary T. Manners, Deputy Director

US EPA Office of Transportation and Air Quality

Compliance Division

2000 Traverwood

Ann Arbor, MI 48105

734.214.4873

This e-mail message is intended only for the personal use of the recipient(s) named above. This message may be an attorney-client communication and as such privileged and confidential. If you are not an intended recipient, you may not review, copy, or distribute this message. If you have received this communication in error, please notify us immediately by e-mail and delete the original message.

Eversheds Sutherland (US) LLP is part of a global legal practice, operating through various separate and distinct legal entities, under Eversheds Sutherland. For a full description of the structure and a list of offices, please visit [www.eversheds-sutherland.com](http://www.eversheds-sutherland.com).

This e-mail message, together with any attachments, is intended only for the above named recipient(s) and may contain privileged and/or confidential information. If you are not an intended recipient, you must not review, copy or show the message and any attachments to anyone. Please reply to this e-mail and highlight the mistaken transmission to the sender, and then immediately delete the message.

**To:** Manners, Mary[manners.mary@epa.gov]  
**From:** Freeman, Paul  
**Sent:** Wed 5/23/2018 9:25:05 PM  
**Subject:** RE: Follow-up Questions for Genscape

Mary--

Look forward to speaking tomorrow. My colleague Bob Meyers will be joining from our DC office, so I'll distribute a dial-in for the call, assuming that's ok on your end.

Thanks,  
Paul

Paul C. Freeman  
pfreeman@crowell.com  
Direct: 212.895.4251  
Mobile: [REDACTED]  
Crowell & Moring LLP | www.crowell.com  
590 Madison Avenue, 20th fl.  
New York, NY 10022

-----Original Message-----

From: Manners, Mary [mailto:manners.mary@epa.gov]  
Sent: Wednesday, May 16, 2018 9:50 AM  
To: Freeman, Paul  
Subject: RE: Follow-up Questions for Genscape

Great. Let's do 1 pm. We will call you on your cell unless you prefer a different number. Talk to you then.

-----Original Message-----

From: Freeman, Paul [mailto:PFreeman@crowell.com]  
Sent: Wednesday, May 16, 2018 9:38 AM  
To: Manners, Mary <manners.mary@epa.gov>  
Subject: RE: Follow-up Questions for Genscape

Thanks Mary. Any of those work for me.

Paul C. Freeman  
pfreeman@crowell.com  
Direct: 212.895.4251  
Mobile: [REDACTED]  
Crowell & Moring LLP | www.crowell.com  
590 Madison Avenue, 20th fl.  
New York, NY 10022

-----Original Message-----

From: Manners, Mary [mailto:manners.mary@epa.gov]  
Sent: Wednesday, May 16, 2018 9:35 AM  
To: Freeman, Paul  
Subject: RE: Follow-up Questions for Genscape

Hi Paul, can you be available for a call with Byron and me next Thursday, 5/24, at noon, 1 or 4 pm?

-----Original Message-----

From: Freeman, Paul [mailto:PFreeman@crowell.com]

Sent: Thursday, May 10, 2018 1:51 PM  
To: Manners, Mary <manners.mary@epa.gov>  
Subject: Re: Follow-up Questions for Genscape

Mary-I won't be able to make the 4 pm slot today, my apologies. I am out of pocket tomorrow and Monday. Tuesday or Wednesday are wide open.

Sent from my iPhone

On May 9, 2018, at 4:10 PM, Manners, Mary  
<manners.mary@epa.gov<mailto:manners.mary@epa.gov>> wrote:

Hi Paul,

I am writing to confirm receipt of Genscape's response to EPA's additional questions dated May 8, 2018. Byron would like a few minutes to discuss it with you. Can you be available for a short phone call, preferably at 10 am but noon or 4 pm EDT would also work.

Thanks,  
Mary

From: Freeman, Paul [mailto:PFreeman@crowell.com]  
Sent: Tuesday, May 08, 2018 3:55 PM  
To: Manners, Mary <manners.mary@epa.gov<mailto:manners.mary@epa.gov>>  
Cc: Nelson, Karen <nelson.karen@epa.gov<mailto:nelson.karen@epa.gov>>  
Subject: RE: Follow-up Questions for Genscape

Thank you.

Paul C. Freeman  
pfreeman@crowell.com<mailto:pfreeman@crowell.com>  
Direct: 212.895.4251  
Mobile: [REDACTED]  
Crowell & Moring LLP | www.crowell.com<http://www.crowell.com/>  
590 Madison Avenue, 20th fl.  
New York, NY 10022

From: Manners, Mary [mailto:manners.mary@epa.gov]  
Sent: Tuesday, May 8, 2018 3:48 PM  
To: Freeman, Paul  
Cc: Nelson, Karen  
Subject: RE: Follow-up Questions for Genscape

Paul,

**Ex. 4 - CBI**

Regards,

Mary

From: Freeman, Paul [mailto:PFreeman@crowell.com]  
Sent: Monday, May 07, 2018 10:47 PM  
To: Manners, Mary <manners.mary@epa.gov<mailto:manners.mary@epa.gov>>  
Cc: Nelson, Karen <nelson.karen@epa.gov<mailto:nelson.karen@epa.gov>>  
Subject: RE: Follow-up Questions for Genscape

Mary and Karen-

## Ex. 4 - CBI

I am available to discuss tomorrow morning at your convenience.

Regards,  
Paul

Paul C. Freeman  
pfreeman@crowell.com<mailto:pfreeman@crowell.com>  
Direct: 212.895.4251  
Mobile: [REDACTED]  
Crowell & Moring LLP | www.crowell.com<http://www.crowell.com/>  
590 Madison Avenue, 20th fl.  
New York, NY 10022

From: Manners, Mary [mailto:manners.mary@epa.gov]  
Sent: Friday, May 4, 2018 12:12 PM  
To: Freeman, Paul  
Cc: Nelson, Karen  
Subject: RE: Follow-up Questions for Genscape

Paul,

## Ex. 4 - CBI

Regards,  
Mary

From: Freeman, Paul [mailto:PFreeman@crowell.com]  
Sent: Friday, April 27, 2018 9:39 AM  
To: Manners, Mary <manners.mary@epa.gov<mailto:manners.mary@epa.gov>>  
Cc: Nelson, Karen <nelson.karen@epa.gov<mailto:nelson.karen@epa.gov>>  
Subject: RE: Follow-up Questions for Genscape

Great-I'll distribute a dial-in as I will have an Associate here join the call as well. Should require only 15 minutes or so.

Thanks,  
Paul

Paul C. Freeman  
pfreeman@crowell.com<mailto:pfreeman@crowell.com>  
Direct: 212.895.4251  
Mobile: [REDACTED]  
Crowell & Moring LLP | www.crowell.com<http://www.crowell.com/>  
590 Madison Avenue, 20th fl.  
New York, NY 10022

From: Manners, Mary [mailto:manners.mary@epa.gov]  
Sent: Friday, April 27, 2018 9:36 AM  
To: Freeman, Paul  
Cc: Nelson, Karen  
Subject: RE: Follow-up Questions for Genscape

Either of those times is fine.

From: Freeman, Paul [mailto:PFreeman@crowell.com]  
Sent: Thursday, April 26, 2018 8:08 PM  
To: Manners, Mary <manners.mary@epa.gov<mailto:manners.mary@epa.gov>>  
Cc: Bunker, Byron <bunker.byron@epa.gov<mailto:bunker.byron@epa.gov>>; Nelson, Karen <nelson.karen@epa.gov<mailto:nelson.karen@epa.gov>>  
Subject: RE: Follow-up Questions for Genscape

Thanks Mary, let's connect tomorrow afternoon, I can give you the preview, and then we'll follow-up with a letter early next week. Is 4:30 or 5 too late?

Thanks again,  
Paul

Paul C. Freeman  
pfreeman@crowell.com<mailto:pfreeman@crowell.com>  
Direct: 212.895.4251  
Mobile: [REDACTED]  
Crowell & Moring LLP | www.crowell.com<http://www.crowell.com/>  
590 Madison Avenue, 20th fl.  
New York, NY 10022

From: Manners, Mary [mailto:manners.mary@epa.gov]  
Sent: Thursday, April 26, 2018 7:52 PM  
To: Freeman, Paul  
Cc: Bunker, Byron; Nelson, Karen  
Subject: Re: Follow-up Questions for Genscape

Paul - I can be available any time tomorrow afternoon or Monday afternoon.

Sent from my iPhone

On Apr 26, 2018, at 4:50 PM, Freeman, Paul  
<PFreeman@crowell.com<mailto:PFreeman@crowell.com>> wrote:  
Thank you Mary. I was actually going to touch base this afternoon on status, so perfect timing! Do you

have some time tomorrow or on Monday to talk for a few minutes? There is one aspect of Genscape's response that I think will warrant some additional discussion, and so I didn't want to wait until May 8 to begin that conversation. I'm flexible both days at the moment.

Many thanks,  
Paul

Paul C. Freeman  
pfreeman@crowell.com<mailto:pfreeman@crowell.com>  
Direct: 212.895.4251  
Mobile: [REDACTED]  
Crowell & Moring LLP | www.crowell.com<http://www.crowell.com/>  
590 Madison Avenue, 20th fl.  
New York, NY 10022

From: Manners, Mary [mailto:manners.mary@epa.gov]  
Sent: Thursday, April 26, 2018 11:04 AM  
To: Freeman, Paul  
Cc: Bunker, Byron; Nelson, Karen  
Subject: RE: Follow-up Questions for Genscape

Paul -

I am writing in response to our call on April 12.

**Ex. 4 - CBI**

Please contact me if I can be of further assistance.

Regards,  
Mary

From: Freeman, Paul [mailto:PFreeman@crowell.com]  
Sent: Tuesday, April 10, 2018 9:00 AM  
To: Manners, Mary <manners.mary@epa.gov<mailto:manners.mary@epa.gov>>  
Cc: Bunker, Byron <bunker.byron@epa.gov<mailto:bunker.byron@epa.gov>>  
Subject: RE: Follow-up Questions for Genscape

Mary-



I just wanted to check in to (1) provide my new contact information below, and (2) see if you might have a few minutes this week to discuss a couple of points of clarification in connection with the questions provided a few weeks ago. I don't anticipate it being a long conversation,

## Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy

Regards,  
Paul

Paul C. Freeman  
pfreeman@crowell.com<mailto:pfreeman@crowell.com>  
Direct: 212.895.4251  
Mobile: [REDACTED]  
Crowell & Moring LLP | www.crowell.com<http://www.crowell.com/>  
590 Madison Avenue, 20th fl.  
New York, NY 10022

From: Manners, Mary [mailto:manners.mary@epa.gov]  
Sent: Tuesday, March 20, 2018 10:03 PM  
To: Freeman, Paul  
Cc: Bunker, Byron  
Subject: RE: Follow-up Questions for Genscape

Paul-

Ex. 4 - CBI

We look forward to reviewing Genscape's submission on May 8, 2018, if not sooner.

Regards,  
Mary

Mary T. Manners, Deputy Director  
US EPA Office of Transportation and Air Quality Compliance Division  
2000 Traverwood  
Ann Arbor, MI 48105  
734.214.4873

From: Freeman, Paul [mailto:paulfreeman@eversheds-sutherland.com]  
Sent: Friday, March 16, 2018 7:40 PM  
To: Manners, Mary <manners.mary@epa.gov<mailto:manners.mary@epa.gov>>  
Cc: Bunker, Byron <bunker.byron@epa.gov<mailto:bunker.byron@epa.gov>>  
Subject: RE: Follow-up Questions for Genscape

Mary-

Please see the attached in furtherance of our recent discussions.

Best Regards,  
Paul

Paul Freeman | Counsel | Eversheds Sutherland (US) LLP

T: +1.212.389.5017 M: [REDACTED]  
Biography<<http://www.sutherland.com/People/Paul-C-Freeman>> | vCard<[https://us.eversheds-sutherland.com/webportal/perform.v?obj=ve\\_oid:poid:Z1tOI9NPI0LPoDtRkfZCr03Cn0!&action=vCard](https://us.eversheds-sutherland.com/webportal/perform.v?obj=ve_oid:poid:Z1tOI9NPI0LPoDtRkfZCr03Cn0!&action=vCard)>

[www.eversheds-sutherland.com](http://www.eversheds-sutherland.com)<<http://www.eversheds-sutherland.com/>>

Eversheds Sutherland  
Client Commitment. Innovative Solutions. Global Service.

From: Manners, Mary [mailto:manners.mary@epa.gov]  
Sent: Friday, March 9, 2018 10:55 AM  
To: Freeman, Paul <PaulFreeman@eversheds-sutherland.us<mailto:PaulFreeman@eversheds-sutherland.us>>  
Cc: Bunker, Byron <bunker.byron@epa.gov<mailto:bunker.byron@epa.gov>>  
Subject: Follow-up Questions for Genscape

Paul-

Please see the attached additional questions for Genscape following our February 6, 2018 meeting. Responses to the questions are requested by March 30, 2018.

Regards,  
Mary

Mary T. Manners, Deputy Director  
US EPA Office of Transportation and Air Quality Compliance Division  
2000 Traverwood  
Ann Arbor, MI 48105  
734.214.4873

Eversheds Sutherland (US) LLP is part of a global legal practice, operating through various separate and distinct legal entities, under Eversheds Sutherland. For a full description of the structure and a list of offices, please visit [www.eversheds-sutherland.com](http://www.eversheds-sutherland.com)<<http://www.eversheds-sutherland.com/>>.

This e-mail message, together with any attachments, is intended only for the above named recipient(s) and may contain privileged and/or confidential information. If you are not an intended recipient, you must not review, copy or show the message and any attachments to anyone. Please reply to this e-mail and highlight the mistaken transmission to the sender, and then immediately delete the message.

**To:** Freeman, Paul[paulfreeman@eversheds-sutherland.com]  
**Cc:** Stahle, Susan[Stahle.Susan@epa.gov]  
**From:** Manners, Mary  
**Sent:** Thur 5/18/2017 9:07:10 PM  
**Subject:** RE: Notice letter regarding Genscape's verification of invalid Gen-X and SRAC RINs generated under the EPA's Quality Assurance Plan Program

Hi Paul –

I understand Genscape's desire for a meeting. However, we are still making our way through the April submittal and, as I mentioned, we recently lost a key member of our team so the scheduling of any meeting is premature at this point.

I'd like to revisit the request when we've made more progress.

Thanks,

Mary

**From:** Freeman, Paul [mailto:paulfreeman@eversheds-sutherland.com]  
**Sent:** Monday, May 15, 2017 5:10 PM  
**To:** Manners, Mary <manners.mary@epa.gov>  
**Cc:** Stahle, Susan <Stahle.Susan@epa.gov>  
**Subject:** RE: Notice letter regarding Genscape's verification of invalid Gen-X and SRAC RINs generated under the EPA's Quality Assurance Plan Program

Mary—

Building upon our most recent conversation, I wanted to touch base in hopes that we could begin to think about scheduling, attendees, and agenda items for a meeting among your team and Genscape. We appreciate the opportunity to meet prior to EPA reaching a decision, and also share the desire to complete that process expeditiously.

With all of that in mind, we are currently maintaining availability from May 31 to June 2, as well as June 5 to June 9. We certainly understand the challenges of scheduling numerous people in multiple locations, so please let me know if neither of those windows will work on your end. Once we nail down a date, time, and place for the meeting, we also would like to agree on elements of an agenda for that discussion. Genscape is committed to answering any and all questions you and your team may have based upon its review of Genscape's April 17 submission.

Thank you once again, I look forward to hearing from you.

Regards,

Paul

Paul Freeman | Counsel | T: +1.212.389.5017

**From:** Manners, Mary [<mailto:manners.mary@epa.gov>]

**Sent:** Thursday, April 20, 2017 4:55 PM

**To:** Freeman, Paul; Williams, Brent

**Subject:** RE: Notice letter regarding Genscape's verification of invalid Gen-X and SRAC RINs generated under the EPA's Quality Assurance Plan Program

Never mind. I think I figured it out.

**From:** Freeman, Paul [<mailto:paulfreeman@eversheds-sutherland.com>]

**Sent:** Tuesday, April 18, 2017 11:28 AM

**To:** Manners, Mary <[manners.mary@epa.gov](mailto:manners.mary@epa.gov)>; Williams, Brent <[Williams.Brent@epa.gov](mailto:Williams.Brent@epa.gov)>

**Subject:** RE: Notice letter regarding Genscape's verification of invalid Gen-X and SRAC RINs generated under the EPA's Quality Assurance Plan Program

Mary and Brent—

## Ex. 4 - CBI

Regards,

Paul

Paul Freeman | Counsel | T: +1.212.389.5017

**From:** Freeman, Paul

**Sent:** Monday, April 17, 2017 7:22 PM

**To:** 'Manners, Mary'

**Cc:** 'Bunker, Byron'; 'Williams, Brent'

**Subject:** RE: Notice letter regarding Genscape's verification of invalid Gen-X and SRAC RINs generated under the EPA's Quality Assurance Plan Program

Mary—

Attached please find the transmittal letter accompanying Genscape's response to the January 4<sup>th</sup> Notice Letter, which is being sent on a hard drive by overnight mail this evening.

Please let me know if you have any questions or would like to discuss this matter in greater detail.

Best Regards,

Paul

Paul Freeman | Counsel | T: +1.212.389.5017

**From:** Freeman, Paul  
**Sent:** Friday, February 17, 2017 6:48 PM  
**To:** 'Manners, Mary'  
**Cc:** Bunker, Byron; Williams, Brent  
**Subject:** RE: Notice letter regarding Genscape's verification of invalid Gen-X and SRAC RINs generated under the EPA's Quality Assurance Plan Program

Mary—

Please see the attached. I am available to discuss at your convenience next week.

Have a great weekend.

Best Regards,

Paul

**Paul Freeman** | *Counsel* | 212.389.5017

**From:** Manners, Mary [<mailto:manners.mary@epa.gov>]  
**Sent:** Thursday, February 02, 2017 4:12 PM  
**To:** Freeman, Paul  
**Cc:** Bunker, Byron; Williams, Brent  
**Subject:** RE: Notice letter regarding Genscape's verification of invalid Gen-X and SRAC RINs generated under the EPA's Quality Assurance Plan Program

Paul —

Please see the attached response to Genscape's request for an extension of time to respond to the January 4, 2017 Notice Letter. Please let us know if you have any questions.

Sincerely,

Mary

Mary T. Manners, Deputy Director

US EPA Office of Transportation and Air Quality

Compliance Division

2000 Traverwood

Ann Arbor, MI 48105

**From:** Freeman, Paul [<mailto:Paul.Freeman@sutherland.com>]  
**Sent:** Thursday, January 26, 2017 9:38 PM  
**To:** Manners, Mary <[manners.mary@epa.gov](mailto:manners.mary@epa.gov)>  
**Cc:** Bunker, Byron <[bunker.byron@epa.gov](mailto:bunker.byron@epa.gov)>; Williams, Brent <[Williams.Brent@epa.gov](mailto:Williams.Brent@epa.gov)>  
**Subject:** RE: Notice letter regarding Genscape's verification of invalid Gen-X and SRAC RINs generated under the EPA's Quality Assurance Plan Program

Mary—

Please see the attached in furtherance of our recent discussions concerning Genscape's request for an extension of time in which to respond to the Notice Letter dated January 4, 2017.

We look forward to the EPA's response, and please don't hesitate to contact me with any questions or to discuss the attached in greater detail.

Best Regards,

Paul

**Paul Freeman** | *Counsel* | 212.389.5017

**From:** Manners, Mary [<mailto:manners.mary@epa.gov>]  
**Sent:** Wednesday, January 04, 2017 2:09 PM  
**To:** [solson@genscape.com](mailto:solson@genscape.com)  
**Cc:** Bunker, Byron; Williams, Brent; Le, Madison; Weihrauch, John; Freeman, Paul  
**Subject:** Notice letter regarding Genscape's verification of invalid Gen-X and SRAC RINs generated under the EPA's Quality Assurance Plan Program  
**Importance:** High

Susan -

Please see the attached notice letter regarding the following: 1) the EPA's intention to revoke Genscape's third-party auditor registration, 2) the EPA's intention to revoke Genscape's QAP A, and 3) the EPA's notification of Genscape's requirement to replace all of the invalid Gen-X and SRAC A-RINs used for compliance.

This email contains the following attachments:

1. Notice letter (contains information claimed to be CBI)
2. Appendix A (2 documents)
3. Appendix B
4. Email from Brent Williams to Genscape

Sincerely,  
Mary

Mary T. Manners, Deputy Director

US EPA Office of Transportation and Air Quality

Compliance Division

2000 Traverwood



Ann Arbor, MI 48105

734.214.4873

This e-mail message is intended only for the personal use of the recipient(s) named above. This message may be an attorney-client communication and as such privileged and confidential. If you are not an intended recipient, you may not review, copy, or distribute this message. If you have received this communication in error, please notify us immediately by e-mail and delete the original message.

Eversheds Sutherland (US) LLP is part of a global legal practice, operating through various separate and distinct legal entities, under Eversheds Sutherland. For a full description of the structure and a list of offices, please visit [www.eversheds-sutherland.com](http://www.eversheds-sutherland.com).

This e-mail message, together with any attachments, is intended only for the above named recipient(s) and may contain privileged and/or confidential information. If you are not an intended recipient, you must not review, copy or show the message and any attachments to anyone. Please reply to this e-mail and highlight the mistaken transmission to the sender, and then immediately delete the message.